

the State of Maine, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of chloral hydrate, small amounts of extracts of plant drugs, formaldehyde, volatile oils including eucalyptol, camphor and clove oil, alcohol (57.6 per cent), acetic acid, sulphuric acid, and water colored with a green dye.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, "Alcohol 50%," whereas the strength of the article fell below such professed standard.

Misbranding was alleged for the reason that the statement appearing on the bottle label, "Alcohol 50%," was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Display card) "A Sure Remedy for Pyorrhea, Trench Mouth, Sore and Bleeding Gums;" (carton and bottle) "For Treatment of Pyorrhea, Trench Mouth, Gingivitis, Stomatitis, Sore and Bleeding Gums \* \* \* [carton only] Relieves Toothache;" (circular) "For Treatment of Pyorrhea, Trench Mouth, Gingivitis, Stomatitis, Sore and Bleeding Gums \* \* \* A Sure Remedy for Pyorrhea, Trench Mouth, Sore and Bleeding Gums, Tightens Teeth. \* \* \* [Testimonials] 'Your preparation for the cure of Pyorrhea has done wonders for me in hardening up the gums and tightening up loose teeth.' F. S. H. Allston. 'I cannot praise Dr. Hubbel's Formula for treatment of Pyorrhea enough. I suffered with Pyorrhea. My teeth were loosened from the gums and it looked as if I were going to lose them. I started using your formula about two months ago and today find my gums healed and my teeth quite sound once more.' A. A. Boston. 'I know that you will be interested to hear how well my gums are after having six (6) applications of your formula. Ten years ago I first noticed how very bad and inflamed they were and naturally went to the dentist. He told me that I had a "trench mouth" and would in all probability be troubled with it. Some treatments were given me, which helped a little for the time being, but I have always had to return to him every two or three months. Now my gums are one hundred per cent better and I want you to know how much I appreciate having found a cure.' E. A. J. Quincy. 'I have found Dr. Hubbel's Formula a most effective remedy for bleeding gums. The application of the medicine stops the bleeding practically at once and hardens the gums. It acts also as cleanser and disinfectant and I can heartily recommend its having a place in every family medicine chest.' A. H. J. Brookline. \* \* \* Sore and chafed mouths. \* \* \* bleeding gums \* \* \* pyorrhea \* \* \* gingivitis \* \* \* trench mouth \* \* \* stomatitis \* \* \* and other infections of the gums and teeth are the inevitable result of the lack of proper care. Dr. Hubbel's Formula is both a preventive and curative remedy. In cases where the infection has located itself, either as an aggravated condition or simply in the early stages, Dr. Hubbel's Formula corrects the condition by strengthening the unhealthy or sensitive gums and causes a hardening or toughening of the gum tissues. Used as directed \* \* \* it prevents the formation of spongy tissues and keeps the mouth generally in a more healthy condition. Dr. Hubbel's Formula is used by dentists in treating the most advanced stages of gum disorders and is highly recommended by many of the leading dentists throughout the country. \* \* \* the only result which can occur from its application is an immediate benefit and continued improvement until the mouth is restored to a normal, healthy condition."

On February 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17908. Misbranding of McCormick's Freosine salve. U. S. v. 12½ Dozen Packages of McCormick's Freosine Salve. Default decree of condemnation and destruction. (F. & D. No. 25870. I. S. No. 8968. S. No. 4080.)**

Examination of samples of a drug product, known as McCormick's Freosine salve, from the herein-described shipment having shown that the labels of the tin box and cartons and the accompanying circular bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agri-

culture reported the matter to the United States attorney for the Western District of Pennsylvania.

On February 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 12½ dozen packages of McCormick's Freosine salve, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by McCormick & Co., from Baltimore, Md., on or about December 12, 1922, and had been transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an ointment with a petrolatum base containing volatile oils including menthol, camphor, eucalyptus oil, and cinnamon oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin box) "Valuable adjunct in the Treatment of \* \* \* Coughs, Pneumonia, Burns, Etc.;" (carton "A valuable adjunct in the treatment of \* \* \* Coughs, Pneumonia, \* \* \* etc. \* \* \* For Sore Throat, Coughs, Pneumonia, LaGrippe, Catarrh, \* \* \* For \* \* \* Catarrh, Pneumonia, Coughs, La Grippe, Sore Throat;" (display carton) "A splendid Medicine for Pneumonia, Coughs, \* \* \* LaGrippe Sore Throat, Catarrh, Burns, \* \* \* Pneumonia, LaGrippe;" (circular) "A Valuable Adjunct in the Treatment of Certain Forms of \* \* \* Pleurisy, Inflammation, Pneumonia, Spasmodic Croup, \* \* \* Etc. Realizing the necessity of an adjunct in the treatment of Coughs, Pneumonia, Sore Throat, Inflammations, Congestions and similar disorders, we have, after many experiments and careful investigation, perfected. \* \* \* Asthma \* \* \* Bronchitis \* \* \* Catarrh \* \* \* Coughs \* \* \* Hay Fever \* \* \* LaGrippe \* \* \* Pneumonia \* \* \* Tonsilitis, Sore Throat, Hoarseness \* \* \* Whooping Cough \* \* \* Boils \* \* \* Eczema \* \* \* Headache; Neuralgia \* \* \* Muscular Rheumatism \* \* \* Piles \* \* \* For Animals; Roup \* \* \* Distemper in Dogs or Horses \* \* \* Pneumonia or Pleurisy in Horses."

On March 3, 1931, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17909. Adulteration and misbranding of ether. U. S. v. Fifteen 1-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25576. I. S. No. 15180. S. No. 3875.)**

Samples of ether from the herein-described shipment having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On December 29, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of fifteen 1-pound cans of ether, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Merck & Co., from St. Louis, Mo., on or about October 27, 1930, and had been transported from the State of Missouri into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act.

Analysis of a sample of the article by this department showed that the ether contained peroxide.

It was alleged in the libel that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation, and its own standard was not stated upon the label.

Misbranding was alleged for the reason that the statement on the can label, "Ether U. S. P.," was false and misleading.

On February 3, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*